

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Telephone Science Corporation,

Plaintiff,

v.

Jack Pizzo and 2 Brothers Worldwide
Publishing LLC,

Defendants.

2:15-cv-01702-LDW-AYS

**FIRST AMENDED COMPLAINT FOR
DAMAGES UNDER THE TELEPHONE
CONSUMER PROTECTION ACT**

JURY DEMANDED ENDORSED HEREIN

INTRODUCTION

1. This case seeks relief against Defendants for making one hundred sixty-five (165) telemarketing calls or “robocalls” to telephone numbers subscribed to by TSC in violation of the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227.
2. According to Senator Fritz Hollings, a sponsor of the TCPA, “computerized calls are the scourge of modern civilization. They wake us up in the morning; they interrupt our dinner at night; they force the sick and elderly out of bed; they hound us until we want to rip the telephone right out of the wall.... These calls are a nuisance and an invasion of our privacy.” See 137 Cong. Rec. S9840, S9874.
3. Defendants use computerized calls to bombard phone numbers with solicitations to promote “Strathmore’s Who’s Who Worldwide,” a vanity publication.

PARTIES

4. Plaintiff, Telephone Science Corporation (“TSC”), is a Delaware corporation with a principal place of business in Mount Sinai, New York, at all times relevant to this action.
5. Defendant, 2 Brothers Worldwide LLC (“2 Brothers”), is a New York limited liability company with a principal place of business in Farmingdale, New York, at all times relevant to this action.
6. Defendant, Jack Pizzo (“Mr. Pizzo”), is a citizen of New York.

JURISDICTION AND VENUE

7. Pursuant to 28 U.S.C. §1331, this Court has federal question jurisdiction over this matter as the claims arise under the TCPA, 47 U.S.C. §227.
8. Pursuant to 28 U.S.C. §1391, venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district and Defendants reside in this district.

STATEMENT OF FACTS

9. Defendants make phone calls to promote a vanity publication called “Strathmore’s Who’s Who Worldwide.”
10. Such vanity publications have been labeled “Who’s Who scams” by various sources, including multiple State Attorney General offices.¹
11. Defendants have regularly made calls to promote “Strathmore’s Who’s Who Worldwide” using an artificial or prerecorded voice to call telephone numbers that are assigned to a service for which the called party is charged for the call.

¹ See http://en.wikipedia.org/wiki/Who's_Who_scam; <http://www.ct.gov/ag/cwp/view.asp?A=1772&Q=282418> (Connecticut Office of Attorney General); <http://www.doj.state.or.us/releases/Pages/2012/rel061312.aspx> (Oregon Department of Justice); <http://www.illinoisattorneygeneral.gov/consumers/protectbus.html> (Office of Illinois Attorney General).

12. Defendants telephone calls to promote “Strathmore’s Who’s Who Worldwide” were made for non-emergency purposes.
13. One of the pre-recorded voice messages that a called party hears when answering states, “This is Kimberly calling from Strathmore’s Who’s Who. You have been selected to represent your industry as one of our top 100 business professionals. If you’re interested in having your biography featured in our next publication please press 1 and you will be connected to one of our executive directors. If you wish to be removed from our list then press 9.”
14. Another pre-recorded voice message that a called party hears when answering states, “This is Maria calling from Strathmore’s Who’s Who. You have been selected to represent your industry as one of our top 100 business professionals. If you’re interested in having your biography featured in our next publication please press 1 and you will be connected to one of our executive directors. If you wish to be removed from our list then press 9.”
15. Defendant, Mr. Pizzo, has direct personal participation in this marketing to promote “Strathmore’s Who’s Who Worldwide” for Defendant, 2 Brothers.
16. As Managing Partner and Director of 2 Brothers, Mr. Pizzo is – by his own admission -- intrinsically involved in all aspects of the company, including human resources, management and training a staff of over forty sales professionals.²
17. As such, Mr. Pizzo has actively overseen and directed the calls to promote “Strathmore’s Who’s Who Worldwide” using an artificial or prerecorded voice.
18. As part of Pizzo’s “intrinsic involvement” he was responsible for company policy and oversaw day-to-day operations that violated the TCPA.
19. Numerous people have complained about telemarketing calls for Strathmore’s Who’s Who.

² See <http://www.pr.com/press-release/584866>

20. One consumer complained, "Received a call was placed by or on behalf of Defendants from 844-251-4526 - Strathmore. Listened to message and pressed "9" to be removed from their call list. Approximately 10 minutes later, received a call was placed by or on behalf of Defendants from 844-251-4525 - also Strathmore. Guess that "Press 9" feature to be removed from their call list doesn't work very well."³
21. TSC never consented to receive calls from Defendants on any of the numbers to which TSC subscribes.
22. TSC subscribes to a service that charges for incoming U.S. calls.
23. Defendants placed calls from telephone numbers 1-844-251-4526 and 1-844-251-4525 to telephone numbers subscribed to by TSC through a service that charges for incoming U.S. calls.
24. On February 18, 2015, around 20:06 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-608-260-7012 using an artificial or pre-recorded voice.
25. On February 18, 2015, around 20:48 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-443-393-3414 using an artificial or pre-recorded voice.
26. On February 18, 2015, around 20:57 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-973-287-3527 using an artificial or pre-recorded voice.
27. On February 18, 2015, around 21:19 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-719-387-0770 using an artificial or pre-recorded voice.
28. On February 18, 2015, around 21:28 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-203-285-3973 using an artificial or pre-recorded voice.
29. On February 18, 2015, around 21:37 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-610-482-4050 using an artificial or pre-recorded voice.

³ See <http://800notes.com/Phone.aspx/1-844-251-4526>

30. On February 19, 2015, around 14:07 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-347-609-0000 using an artificial or pre-recorded voice.
31. On February 19, 2015, around 14:07 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-860-263-0016 using an artificial or pre-recorded voice.
32. On February 19, 2015, around 14:15 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-609-482-3080 using an artificial or pre-recorded voice.
33. On February 19, 2015, around 14:17 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-919-439-3903 using an artificial or pre-recorded voice.
34. On February 19, 2015, around 14:20 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-908-698-4900 using an artificial or pre-recorded voice.
35. On February 19, 2015, around 14:21 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-609-281-5194 using an artificial or pre-recorded voice.
36. On February 19, 2015, around 14:21 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-609-662-5300 using an artificial or pre-recorded voice.
37. On February 19, 2015, around 14:26 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-774-413-7366 using an artificial or pre-recorded voice.
38. On February 19, 2015, around 14:29 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-646-652-8694 using an artificial or pre-recorded voice.
39. On February 19, 2015, around 14:36 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-469-442-0041 using an artificial or pre-recorded voice.
40. On February 19, 2015, around 16:13 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-781-205-4205 using an artificial or pre-recorded voice.

41. On February 19, 2015, around 16:23 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-513-342-4362 using an artificial or pre-recorded voice.
42. On February 19, 2015, around 16:31 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-508-921-4464 using an artificial or pre-recorded voice.
43. On February 19, 2015, around 17:22 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-678-648-4578 using an artificial or pre-recorded voice.
44. On February 19, 2015, around 17:28 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-678-391-4700 using an artificial or pre-recorded voice.
45. On February 19, 2015, around 17:37 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-203-774-4876 using an artificial or pre-recorded voice.
46. On February 19, 2015, around 17:59 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-408-907-3360 using an artificial or pre-recorded voice.
47. On February 19, 2015, around 18:43 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-858-926-5780 using an artificial or pre-recorded voice.
48. On February 19, 2015, around 18:54 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-909-587-6520 using an artificial or pre-recorded voice.
49. On February 19, 2015, around 19:11 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-617-391-0250 using an artificial or pre-recorded voice.
50. On February 19, 2015, around 21:13 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-757-337-2456 using an artificial or pre-recorded voice.
51. On February 23, 2015, around 15:25 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-919-648-0609 using an artificial or pre-recorded voice.

52. On February 23, 2015, around 19:07 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-937-319-4002 using an artificial or pre-recorded voice.
53. On February 23, 2015, around 19:51 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-805-617-3545 using an artificial or pre-recorded voice.
54. On February 23, 2015, around 20:22 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-610-590-4880 using an artificial or pre-recorded voice.
55. On February 23, 2015, around 20:53 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-858-926-5780 using an artificial or pre-recorded voice.
56. On February 23, 2015, around 21:12 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-909-587-6520 using an artificial or pre-recorded voice.
57. On February 23, 2015, around 21:39 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-312-645-0303 using an artificial or pre-recorded voice.
58. On February 24, 2015, around 15:43 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-919-585-1232 using an artificial or pre-recorded voice.
59. On February 24, 2015, around 18:09 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-727-288-2738 using an artificial or pre-recorded voice.
60. On February 25, 2015, around 16:04 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-240-252-4592 using an artificial or pre-recorded voice.
61. On February 25, 2015, around 16:05 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-240-252-4592 using an artificial or pre-recorded voice.
62. On February 25, 2015, around 16:05 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-240-252-4592 using an artificial or pre-recorded voice.

63. On February 25, 2015, around 18:02 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-404-975-4520 using an artificial or pre-recorded voice.
64. On February 25, 2015, around 19:01 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-404-236-6174 using an artificial or pre-recorded voice.
65. On February 26, 2015, around 16:10 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-404-973-2060 using an artificial or pre-recorded voice.
66. On February 26, 2015, around 17:16 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-240-391-3087 using an artificial or pre-recorded voice.
67. On February 26, 2015, around 18:08 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-203-529-4024 using an artificial or pre-recorded voice.
68. On March 3, 2015, around 20:56 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-646-233-3252 using an artificial or pre-recorded voice.
69. On March 3, 2015, around 21:03 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-505-835-1202 using an artificial or pre-recorded voice.
70. On March 3, 2015, around 21:04 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-919-890-3335 using an artificial or pre-recorded voice.
71. On March 3, 2015, around 21:59 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-954-681-4081 using an artificial or pre-recorded voice.
72. On March 3, 2015, around 22:00 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-860-947-4100 using an artificial or pre-recorded voice.
73. On March 4, 2015, around 15:53 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-240-252-4592 using an artificial or pre-recorded voice.

74. On March 4, 2015, around 16:18 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-650-852-1900 using an artificial or pre-recorded voice.
75. On March 4, 2015, around 16:30 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-847-693-7893 using an artificial or pre-recorded voice.
76. On March 4, 2015, around 16:56 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-918-925-9100 using an artificial or pre-recorded voice.
77. On March 4, 2015, around 17:27 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-602-635-1913 using an artificial or pre-recorded voice.
78. On March 4, 2015, around 17:40 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-602-456-4000 using an artificial or pre-recorded voice.
79. On March 4, 2015, around 18:18 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-415-549-0306 using an artificial or pre-recorded voice.
80. On March 4, 2015, around 18:19 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-619-592-8750 using an artificial or pre-recorded voice.
81. On March 4, 2015, around 18:26 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-408-212-0847 using an artificial or pre-recorded voice.
82. On March 4, 2015, around 18:46 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-310-615-1900 using an artificial or pre-recorded voice.
83. On March 4, 2015, around 18:52 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-650-206-2208 using an artificial or pre-recorded voice.
84. On March 4, 2015, around 19:13 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-650-353-3397 using an artificial or pre-recorded voice.

85. On March 4, 2015, around 19:54 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-650-461-4600 using an artificial or pre-recorded voice.
86. On March 4, 2015, around 20:17 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-503-946-5869 using an artificial or pre-recorded voice.
87. On March 4, 2015, around 20:22 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-714-902-6100 using an artificial or pre-recorded voice.
88. On March 4, 2015, around 20:26 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-951-924-6282 using an artificial or pre-recorded voice.
89. On March 4, 2015, around 20:49 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-860-947-4100 using an artificial or pre-recorded voice.
90. On March 4, 2015, around 21:05 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-732-422-5197 using an artificial or pre-recorded voice.
91. On March 4, 2015, around 21:33 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-646-233-0163 using an artificial or pre-recorded voice.
92. On March 4, 2015, around 21:34 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-704-288-0435 using an artificial or pre-recorded voice.
93. On March 4, 2015, around 21:39 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-703-997-1558 using an artificial or pre-recorded voice.
94. On March 4, 2015, around 21:42 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-646-362-2269 using an artificial or pre-recorded voice.
95. On March 4, 2015, around 21:43 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-727-288-2738 using an artificial or pre-recorded voice.

96. On March 4, 2015, around 21:44 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-240-391-3087 using an artificial or pre-recorded voice.
97. On March 4, 2015, around 21:46 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-973-287-3527 using an artificial or pre-recorded voice.
98. On March 4, 2015, around 21:48 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-513-342-4362 using an artificial or pre-recorded voice.
99. On March 4, 2015, around 21:49 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-678-648-4580 using an artificial or pre-recorded voice.
100. On March 4, 2015, around 21:52 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-860-756-5550 using an artificial or pre-recorded voice.
101. On March 5, 2015, around 15:03 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-312-878-0739 using an artificial or pre-recorded voice.
102. On March 5, 2015, around 15:10 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-757-772-0200 using an artificial or pre-recorded voice.
103. On March 5, 2015, around 17:55 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-312-878-0739 using an artificial or pre-recorded voice.
104. On March 9, 2015, around 17:45 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-240-821-5077 using an artificial or pre-recorded voice.
105. On March 10, 2015, around 13:45 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-704-288-0435 using an artificial or pre-recorded voice.
106. On March 10, 2015, around 16:19 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-678-901-4153 using an artificial or pre-recorded voice.

107. On March 10, 2015, around 16:21 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-781-205-4205 using an artificial or pre-recorded voice.
108. On March 10, 2015, around 16:51 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-617-830-7797 using an artificial or pre-recorded voice.
109. On March 10, 2015, around 17:24 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-773-570-4133 using an artificial or pre-recorded voice.
110. On March 10, 2015, around 17:30 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-432-897-4305 using an artificial or pre-recorded voice.
111. On March 10, 2015, around 18:12 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-404-418-8973 using an artificial or pre-recorded voice.
112. On March 10, 2015, around 19:00 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-513-282-0193 using an artificial or pre-recorded voice.
113. On March 10, 2015, around 19:02 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-850-332-0221 using an artificial or pre-recorded voice.
114. On March 10, 2015, around 19:14 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-815-923-0000 using an artificial or pre-recorded voice.
115. On March 10, 2015, around 19:22 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-254-771-0136 using an artificial or pre-recorded voice.
116. On March 10, 2015, around 19:50 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-832-266-0992 using an artificial or pre-recorded voice.
117. On March 10, 2015, around 19:53 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-312-321-1001 using an artificial or pre-recorded voice.

118. On March 10, 2015, around 20:23 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-773-938-1641 using an artificial or pre-recorded voice.
119. On March 11, 2015, around 15:02 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-727-288-2738 using an artificial or pre-recorded voice.
120. On March 11, 2015, around 16:59 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-781-205-4205 using an artificial or pre-recorded voice.
121. On March 11, 2015, around 17:24 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-813-756-4463 using an artificial or pre-recorded voice.
122. On March 11, 2015, around 17:51 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-704-215-4785 using an artificial or pre-recorded voice.
123. On March 11, 2015, around 18:22 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-734-469-5149 using an artificial or pre-recorded voice.
124. On March 11, 2015, around 18:36 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-781-205-4205 using an artificial or pre-recorded voice.
125. On March 11, 2015, around 18:52 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-813-756-4463 using an artificial or pre-recorded voice.
126. On March 11, 2015, around 18:55 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-973-333-4519 using an artificial or pre-recorded voice.
127. On March 11, 2015, around 19:01 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-413-315-4618 using an artificial or pre-recorded voice.
128. On March 11, 2015, around 19:04 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-812-506-4670 using an artificial or pre-recorded voice.

129. On March 11, 2015, around 19:25 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-207-321-5097 using an artificial or pre-recorded voice.
130. On March 12, 2015, around 15:36 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-757-772-0200 using an artificial or pre-recorded voice.
131. On March 12, 2015, around 17:30 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-856-497-1641 using an artificial or pre-recorded voice.
132. On March 12, 2015, around 18:21 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-508-273-2480 using an artificial or pre-recorded voice.
133. On March 12, 2015, around 18:56 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-860-947-4014 using an artificial or pre-recorded voice.
134. On March 16, 2015, around 16:58 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-305-517-3794 using an artificial or pre-recorded voice.
135. On March 16, 2015, around 18:10 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-716-243-3661 using an artificial or pre-recorded voice.
136. On March 16, 2015, around 20:06 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-281-377-1100 using an artificial or pre-recorded voice.
137. On March 17, 2015, around 14:28 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-240-252-1313 using an artificial or pre-recorded voice.
138. On March 17, 2015, around 15:05 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-857-403-0312 using an artificial or pre-recorded voice.
139. On March 17, 2015, around 15:16 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-919-648-0609 using an artificial or pre-recorded voice.

140. On March 17, 2015, around 15:16 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-203-529-4024 using an artificial or pre-recorded voice.
141. On March 17, 2015, around 16:04 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-973-210-7201 using an artificial or pre-recorded voice.
142. On March 17, 2015, around 16:12 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-203-779-6787 using an artificial or pre-recorded voice.
143. On March 17, 2015, around 16:19 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-786-837-7200 using an artificial or pre-recorded voice.
144. On March 17, 2015, around 16:22 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-646-257-2004 using an artificial or pre-recorded voice.
145. On March 17, 2015, around 17:23 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-615-866-1040 using an artificial or pre-recorded voice.
146. On March 18, 2015, around 14:43 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-802-779-0119 using an artificial or pre-recorded voice.
147. On March 18, 2015, around 14:45 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-540-931-0130 using an artificial or pre-recorded voice.
148. On March 18, 2015, around 14:56 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-304-596-0200 using an artificial or pre-recorded voice.
149. On March 18, 2015, around 19:09 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-972-245-6505 using an artificial or pre-recorded voice.
150. On March 18, 2015, around 19:12 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-713-568-6691 using an artificial or pre-recorded voice.

151. On March 18, 2015, around 20:14 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-415-692-0108 using an artificial or pre-recorded voice.
152. On March 18, 2015, around 20:19 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-619-592-8750 using an artificial or pre-recorded voice.
153. On March 19, 2015, around 16:13 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-866-643-8155 using an artificial or pre-recorded voice.
154. On March 19, 2015, around 16:45 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-203-987-4912 using an artificial or pre-recorded voice.
155. On March 19, 2015, around 17:08 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-773-663-4703 using an artificial or pre-recorded voice.
156. On March 19, 2015, around 18:49 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-850-316-8503 using an artificial or pre-recorded voice.
157. On March 19, 2015, around 19:30 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-254-523-0000 using an artificial or pre-recorded voice.
158. On March 19, 2015, around 19:48 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-919-439-2924 using an artificial or pre-recorded voice.
159. On March 23, 2015, around 16:32 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-919-439-2924 using an artificial or pre-recorded voice.
160. On March 23, 2015, around 16:53 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-919-890-3335 using an artificial or pre-recorded voice.
161. On March 23, 2015, around 16:53 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-410-691-3335 using an artificial or pre-recorded voice.

162. On March 23, 2015, around 16:55 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-336-793-3368 using an artificial or pre-recorded voice.
163. On March 23, 2015, around 17:00 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-617-580-3483 using an artificial or pre-recorded voice.
164. On March 23, 2015, around 17:35 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-843-314-4300 using an artificial or pre-recorded voice.
165. On March 23, 2015, around 17:50 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-678-648-4578 using an artificial or pre-recorded voice.
166. On March 30, 2015, around 14:38 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-856-282-0266 using an artificial or pre-recorded voice.
167. On March 31, 2015, around 19:11 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-757-905-4181 using an artificial or pre-recorded voice.
168. On March 31, 2015, around 19:31 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-407-329-4509 using an artificial or pre-recorded voice.
169. On March 31, 2015, around 19:32 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-973-333-4519 using an artificial or pre-recorded voice.
170. On March 31, 2015, around 19:49 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-508-570-4855 using an artificial or pre-recorded voice.
171. On March 31, 2015, around 20:27 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-860-756-5550 using an artificial or pre-recorded voice.
172. On April 1, 2015, around 13:46 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-937-319-4002 using an artificial or pre-recorded voice.

173. On April 1, 2015, around 14:41 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-774-413-7366 using an artificial or pre-recorded voice.
174. On April 1, 2015, around 15:05 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-617-830-7797 using an artificial or pre-recorded voice.
175. On April 1, 2015, around 15:55 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-919-858-6000 using an artificial or pre-recorded voice.
176. On April 1, 2015, around 16:13 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-678-894-1005 using an artificial or pre-recorded voice.
177. On April 1, 2015, around 16:14 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4525 to TSC at 1-508-452-6325 using an artificial or pre-recorded voice.
178. On April 2, 2015, around 17:33 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-469-442-0026 using an artificial or pre-recorded voice.
179. On April 2, 2015, around 18:20 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-660-202-1336 using an artificial or pre-recorded voice.
180. On April 2, 2015, around 19:52 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-312-278-3606 using an artificial or pre-recorded voice.
181. On April 2, 2015, around 19:54 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-817-406-3666 using an artificial or pre-recorded voice.
182. On April 2, 2015, around 20:11 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-281-374-4170 using an artificial or pre-recorded voice.
183. On April 3, 2015, around 14:27 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-605-644-7543 using an artificial or pre-recorded voice.

184. On April 3, 2015, around 14:57 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-832-384-8607 using an artificial or pre-recorded voice.
185. On April 3, 2015, around 15:03 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-713-230-8819 using an artificial or pre-recorded voice.
186. On April 3, 2015, around 15:13 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-281-931-9142 using an artificial or pre-recorded voice.
187. On April 3, 2015, around 15:49 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-505-559-4435 using an artificial or pre-recorded voice.
188. On April 3, 2015, around 16:06 UTC, a call was placed by or on behalf of Defendants from 1-844-251-4526 to TSC at 1-415-871-0027 using an artificial or pre-recorded voice.
189. TSC was the called party in each of the telephone calls described in Paragraphs 23 through 188 above.
190. TSC was the subscriber for each telephone number that was called in the telephone calls described in Paragraphs 23 through 188 above.
191. Each of the telephone numbers at which TSC received a call, as described in Paragraphs 23 through 188 above is assigned to a service for which TSC is charged for the call.
192. TSC never provided its express consent to be called in connection with any service or offering being marketed by or on behalf of Defendants in the telephone calls described in Paragraphs 23 through 188 above.
193. TSC never provided its express consent to be called using an artificial or pre-recorded voice at any telephone number that was called in the telephone calls described in Paragraphs 23 through 188 above.

194. The telephone calls placed by or on behalf of Defendants to TSC's telephone numbers described in Paragraphs 23 through 188 were willfully and knowingly made.
195. The telephone calls placed by or on behalf of Defendants to TSC's telephone numbers described in Paragraphs 23 through 188 were voluntarily made.
196. Defendants knew or had reason to know that the telephone calls placed by or on behalf of Defendants to TSC's telephone numbers described in Paragraphs 23 through 188 were made in violation of the TCPA.
197. Between February 17, 2015 and April 3, 2015, Defendants willingly and knowingly violated 47 U.S.C. § 227(b)(1)(A)(iii) by making one hundred sixty-five (165) telephone calls to telephone numbers assigned to a service for which TSC is charged for calls without TSC's express consent to be called by or on behalf of Defendants.
198. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

Plaintiff prays for the following relief:

- a. Judgment against Defendants and for Plaintiff pursuant to 47 U.S.C. §227(b)(3)(B) for one hundred sixty-five (165) calls placed by or on behalf of Defendants to Plaintiff's subscribed numbers in violation of the TCPA for a judgment of up to \$214,500.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

[SIGNATURE ON FOLLOWING PAGE]

RESPECTFULLY SUBMITTED,

Hyslip & Taylor, LLC LPA

By: /s/ Mark T. Lavery
One of Plaintiff's Attorneys

Pro Hac Vice Counsel

Mark T. Lavery, Esq.
1100 W. Cermak Rd., Suite B410
Chicago, IL 60608
Telephone: (312) 380-6110
Facsimile: (312) 361-3509
Email: mark@lifetimedebtsolutions.com

Local Counsel

Christopher P. McDonnell, Esq.
146-26 35 Avenue
Flushing , NY 11354
Telephone: (917) 741-1388
Email: Christopher.Mcdonnell@csi.Cuny.Edu

CERTIFICATE OF SERVICE

I, the undersigned attorney, certify that on May 18, 2015, I electronically filed the foregoing Plaintiff's First Amended Complaint through the court's CM/ECF system, which will perfect service on the following counsel of record:

Steven G. Legum
170 Old Country Road
Mineola , NY 11501
516-873-9300
Sgl@legum.Biz

/s/ Mark T. Lavery